



# County of San Diego

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## NEW WELL PERMITTING PROCEDURES UNDER EXECUTIVE ORDERS N-7-22 AND N-3-23

On March 28, 2022, Governor Gavin Newsom signed Executive Order N-7-22 in response to extreme and expanding drought conditions which, **effective immediately**, prohibits the County of San Diego Department of Environmental Health and Quality (DEHQ) from issuing a permit for a new groundwater well or for alteration of an existing groundwater well pursuant to Division 7, Chapter 4 of the San Diego County Code unless certain requirements are met or the permit falls within the ***limited exemption*** to the requirements.

On February 13, 2023, the Governor signed Executive Order N-3-23, which states that Executive Order N-7-22 remains in full force and effect with modifications. Executive Order N-3-23 adds an additional exemption from the well permitting requirements under Executive Order N-7-22. A complete copy of both Executive Orders [N-7-22](#) and [N-3-23](#) are available online (reference paragraph 9 in N-7-22 and paragraph 4 in N-3-23).

### **Limited Exemption**

Paragraph 9 of the Executive Order does not apply to permits for certain wells as follows:

1. Wells that will provide **less than two (2) acre-feet per year** of groundwater for individual domestic users.
2. Wells that will exclusively provide groundwater to public water supply systems as defined in Health and Safety Code Section 116275.
3. Wells that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced, when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

DEHQ has amended the Water Well Permit Application to identify wells that are exempt.

### **Licensed Professional Geologist Report Required for ALL Non-Exempt Wells**

Regardless of the well's location, the Water Well Permit Application for a non-exempt new or altered groundwater well must be accompanied by a report signed by a California licensed Professional Geologist **with a Certified Hydrogeologist specialty certification** that concludes **both** that extraction of groundwater from the well is (1) "not likely to interfere with the production and functioning of existing nearby wells" **and** (2) "not likely to cause subsidence that would adversely impact or damage nearby infrastructure." (See paragraph 9(b) of the Executive Order).

### **Verification from Groundwater Sustainability Agency for Certain Non-Exempt Wells**

Additionally, DEHQ will not issue a permit for a non-exempt new groundwater well or alteration of an existing groundwater well located within the Borrego Valley Groundwater Basin, San Luis Rey Valley Groundwater Basin, or San Pasqual Valley Groundwater Basin as identified by the Department of Water Resources without first obtaining from the relevant Groundwater Sustainability Agency the verification required by paragraph 9(a) of the Executive Order (in addition to the report described above).